

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.14031 of 2015

M.Moorthy

...Petitioner

vs

1. The District Collector
Vellore District
2. The Tahsildar
Ambur Taluk Office
Ambur, Vellore District

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to forthwith issue patta in respect of petitioner's land comprised in Survey No.301/2A measuring an extent of 50 cents situated at Periya Varikam Village, Ambur, Vellore District, within a stipulated time.

For Petitioner : Mr.N.Saravanan

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he is the absolute owner of the property admeasuring to an extent of 50 cents comprised in Survey No.301/2A, situated in Periyavarikam Village Post, Ambur, Vellore District and he purchased the same during the year 1991. The petitioner would further claim that right from the date of purchase, he is in absolute possession and enjoyment of the property and it is also subjected to statutory levies. The petitioner made several representations praying for grant of patta in his name; but, he has not been favoured with any response and in the interregnum, some third parties had interfered with his possession and therefore, he filed a suit in O.S.No.87/2013, on the file of the Court of District Munsif at Ambur, praying for permanent injunction restraining the

defendants from interfering with his possession and the said suit, after contest, came to be decreed on 12.9.2014, and in spite of it, he has not been issued with patta and hence, came forward to file this writ petition.

3. Heard the submissions of the learned Counsel appearing for the petitioner, and Mrs.P.Rajalakshmi, learned Government Advocate, who accepted notice for the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, in the facts and circumstances of the case, directs the second respondent to consider and dispose of the petitioner's representation dated 23.2.2015, in accordance with law. It is also open to the petitioner to submit one more representation to the second respondent by enclosing a copy of his earlier representation dated 23.2.2015, within a period of two weeks from the date of receipt of a copy of this order and the second respondent, on receipt of the same, is directed to consider it and pass orders in accordance with law, after putting on notice, the persons concerned, within a period of eight weeks thereafter, and communicate the decision taken, to the petitioner as well as to the persons concerned. The writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

nsv

To

1. The District Collector
Vellore District

2. The Tahsildar
Ambur Taluk Office
Ambur, Vellore District

1 CC to the Government Pleader, SR.No. 25798

W.P.No.14031 of 2015

CA (CO)
PSI (10.06.2015)